

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

|                                   |   |                                     |
|-----------------------------------|---|-------------------------------------|
| <b>BOGDAN ROMANCE,</b>            | : | <b>CIVIL ACTION NO. 3:20-CV-760</b> |
|                                   | : |                                     |
| <b>Petitioner</b>                 | : | <b>(Judge Conner)</b>               |
|                                   | : |                                     |
| <b>v.</b>                         | : |                                     |
|                                   | : |                                     |
| <b>WARDEN YORK COUNTY PRISON,</b> | : |                                     |
|                                   | : |                                     |
| <b>Respondent</b>                 | : |                                     |

**ORDER**

AND NOW, this 13th day of October, 2020, upon consideration of the report (Doc. 9) of Magistrate Judge Joseph F. Saporito, Jr., recommending that the court grant in part petitioner Bogdan Romance’s petition (Doc. 1) for writ of habeas corpus pursuant to 28 U.S.C. § 2241 and direct an immigration judge to afford Romance an individualized bond hearing within 30 days, and the court observing that respondent has lodged a partial objection (Doc. 10) to the report, see FED. R. Civ. P. 72(b)(2), challenging only the report’s recommendation that the court direct respondent to issue a notice to appear on the basis that a writ issued by this court is sufficient to confer jurisdiction to the immigration judge, (see Doc. 11 at 3-5), and the court further observing that Romance has not opposed respondent’s objection, and following *de novo* review of the contested portions of the report, E.E.O.C. v. City of Long Branch, 866 F.3d 93, 99 (3d Cir. 2017) (quoting 28 U.S.C. § 636(b)(1)), and affording “reasoned consideration” to the uncontested portions, id. (quoting Henderson v. Carlson, 812 F.2d 874, 878 (3d Cir. 1987)), the court finding Judge Saporito’s analysis to be well-reasoned and fully supported by the record and the

applicable decisional law to the extent it recommends that we grant Romance's petition and direct an immigration judge to conduct an individualized bond hearing within 30 days, but agreeing with respondent that the court's order will be sufficient to confer jurisdiction upon the immigration judge and that a notice to appear is not necessary, it is hereby ORDERED that:

1. The report (Doc. 9) of Magistrate Judge Saporito is ADOPTED.
2. Romance's petition (Doc. 1) for writ of habeas corpus is GRANTED to the extent set forth in paragraph 3 below.
3. An immigration judge shall conduct an individualized bond hearing within 30 days of the date of this order.
4. The Clerk of Court is directed to close this case.

/S/ CHRISTOPHER C. CONNER  
Christopher C. Conner  
United States District Judge  
Middle District of Pennsylvania